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ABSTRACT

The MiraCosta College Academic Senate Ad Hoc Committee on Collegial Governance drafted this statement in order to provide a description of the college's governance structure, to address the added responsibilities for faculty as set forth by California's Assembly Bill (AB) 1725, and to make recommendations for the improvement of governance at the college. Following introductory comments on the AB mandate, the responsibilities inherent in the collegial governance structure are discussed. Next, the distinct features and powers of Mira Costa College's Academic Senate (AS) are outlined (e.g., it consists of certificated personnel, both administrators and faculty; and it discharges the functions normally executed by an exclusive bargaining agent, due to the fact that the faculty have not adopted collective bargaining procedures). Legal definitions of faculty, academic senates, and the powers of senates are then provided to allow for comparisons with the college's model. Following a review of the new governance structure mandated by AB 1725, a discussion of the role of MiraCosta's Senate and its executive body, the Academic Senate Council, and of the unique role of administrators in the Senate is provided. Next, four recommendations for improving the AS by encouraging more activity and participation are presented. The college's strategies for conflict resolution, and four factors affecting successful shared governance are then summarized. Finally, five recommendations for improving Senate relations with the governing board, and with the superintendent/president are offered. Appendixes provide relevant excerpts from AB 1725 and from official MiraCosta College documents. (MPH)

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FORWARD

Following broad-based consultation, the MiraCosta College Academic Senate Ad Hoc Committee on Collegial Governance drafted this statement as a reflection of the collegial model at MiraCosta and as articulation of MiraCosta's aspirations for the maintenance and improvement of the model, reinforced by the mandate of Assembly Bill 1725 (AB 1725). The Academic Senate Council adopted this statement on April 4, 1990, and forwarded it to the Governing Board for consideration. On May 22, 1990 the Board voted to endorse the statement so that the traditions herein described will be strengthened by formal codification, and the Board directed that the statement's principles be prepared for inclusion in Board policy. Such action constitutes a clear message to all concerned about the intent of the Board and the responsibilities and authority of the Board, the administration, and the faculty in MiraCosta's collegial governance model. Copies of the statement have been forwarded to the Classified Employees Council (CEC) and the Student Senate with an invitation to consider its principles as they develop their own analyses about their places in MiraCosta's collegial governance model.

Robert Stauber, President
Board of Trustees

H. Deon Holt,
President/Superintendent

James M. Stanton, President
Academic Senate

Academic Senate Committee on Collegial Governance

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Meetings Held:

Oct. 4, 1989	Committee	Feb. 21, 1990	Academic Senate Forum
Oct. 9, 1989	Committee	Feb. 26, 1990	Committee
Oct. 23, 1989	Committee	Feb. 28, 1990	Academic Senate Council
Nov. 13, 1989	Committee	Feb. 28, 1990	Committee
Nov. 27, 1989	Academic Senate Forum	Mar. 10, 1990	Board of Trustees and Superintendent/President
Dec. 4, 1989	Committee	Mar. 12, 1990	Committee
Dec. 11, 1989	Committee	Mar. 15, 1990	Editorial Subcommittee
Jan. 22, 1990	Committee	Mar. 23, 1990	Editorial Subcommittee
Jan. 29, 1990	Committee	Mar. 26, 1990	Committee
Feb. 5, 1990	Committee	Apr. 4, 1990	Academic Senate Council
Feb. 12, 1990	Committee	Apr. 16, 1990	Committee
Feb. 14, 1990	Academic Senate Council	Apr. 18, 1990	Superintendent/President
Feb. 14, 1990	Committee	May 22, 1990	Board of Trustees and Superintendent/President

INTRODUCTION

Collegial governance is a long and cherished tradition at MiraCosta College. Indeed, MiraCosta is one of the state's leaders in this regard, and its commitment to collegiality has been sustained by a Governing Board, administration, faculty, classified staff, and student body dedicated to its principles.

The advent of AB 1725, however, and our mutual wish to maintain and build upon the collegial model at MiraCosta College, led us to develop the following statement. AB 1725 not only places in statute many collegial institutions, functions, and practices which have been voluntarily performed at MiraCosta for years, but also charges the faculty to assume a degree of responsibility and activity in collegial governance not previously exercised; further it bids the Board to strengthen the role of the Academic Senate in its collegial responsibilities.

Although collegiality at MiraCosta College is correctly understood to include the entire campus community, AB 1725 speaks most specifically and most voluminously to the California State Government's expectations for the faculty, administration, and Board. We hope that the rest of the college community--classified staff and the students--contribute their thoughts about their involvement in the overall collegial governance model. For now, however, this document reflects the positions of the Governing Board, the Superintendent/President, and the Academic Senate regarding their respective roles in shared

governance vis-à-vis our collegial tradition and the mandates of AB 1725.

This document, therefore, is a description of collegial governance as it regards the Board, administration, and faculty at MiraCosta College. It addresses the added responsibilities for faculty set forth in AB 1725, and it makes recommendations by which collegial governance at MiraCosta can be nurtured and enhanced.

COLLEGIAL GOVERNANCE AND RESPONSIBILITIES AT MIRACOSTA COLLEGE

Originally founded as self-governing educational institutions, colleges (from the Latin root collegium, meaning partnership) are among the oldest democratic bodies in the world. The Academic Senate of MiraCosta College is committed to collegial governance, and we hereby reaffirm our dedication to it.

Collegiality means shared governance within the parameters of law and historical practice. Specifically, the Governing Board is empowered by law to adopt rules and regulations for the college. Proposals placed before the Board, however, should be developed in broad-based forums. That is to say, each segment in the college that has expertise and responsibility in a particular area is charged with developing policies and procedures related to it. Each segment of the college (the Governing Board, students, staff, administrators, and faculty) has unique, yet overlapping responsibilities and authority. No issue is exclusive to only one segment, and several segments may be involved in developing policies and procedures on a given subject. But the Board is the ultimate authority at the college and has ultimate accountability. It may wish to participate with other segments of the college in the development of policies and procedures. Faculty and administrators, however, must cooperate in policies and procedures development.

The collegial process at MiraCosta rests on a bedrock of commitment to freedom of information and its timely dissemination, and to mutual respect, trust, and openness at the college. The collegial process at MiraCosta not only conforms to the state governing codes but also empowers all people of the college, thus committing them to the superordinate goals of the college.

Such empowerment, however, comes at a cost. It is the responsibility and obligation of each member of the faculty, administration, and Board to participate in the collegial process. All must arrange their schedules so as to facilitate the collegial process and to participate in a reasonable number of hours of policies and procedures development work. All must be cooperative with and open to the consultation process. At the same time, each segment of the college must recognize and duly respect the unique expertise and authority of the others. Because collegial governance is a cooperative endeavor, its success depends upon all individuals accepting their responsibilities. In this way the college will fulfill its potential as an educational institution dedicated to academic excellence and community service.

THE ACADEMIC SENATE AT MIRACOSTA COLLEGE

MiraCosta has one of the oldest community college academic senates in the state. It was created in 1963 and structured so as to suit our particular needs. Three major factors distinguish our Academic Senate from most others in the state:

1) It includes all certificated personnel employed by the district--administrators as well as faculty.
2) The Academic Senate Council is at MiraCosta the institution referred to in statute and in the Education Code as the Academic Senate.
3) In the absence of collective bargaining, the Academic Senate discharges for faculty and administrators the functions normally executed by an exclusive bargaining agent.*

While differing from practice elsewhere and not being completely consistent with some legal technicalities, these factors have served the best interests of MiraCosta College.

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*In compliance with state law, the faculty designated the Faculty Assembly as its exclusive bargaining agent should it decide to use collective bargaining. Board policies 4056 and 4057 reflect this decision. However, so far the faculty has chosen not to adopt the collective bargaining procedure.

Definitions in Law

Section 87001, Ed. Code: Faculty: Those employees of a community college district who are employed in positions that are not designed as supervisory or management and for which minimum qualifications for hire have been specified.
(See Appendix A)

53200 of Title 5: Academic Senate: An organization elected by faculty, as representative of it, to make recommendations to the administration and to the Governing Board with respect to academic and professional matters.

Powers of the Academic Senate

53203 of Title 5: After consultation with the administration, the Academic Senate may present its views and recommendations to the Board, and the Board shall consider and respond to such views and recommendations.

53204 of Title 5: Upon request of the Academic Senate, the Board or its delegated administrators shall meet and confer with Academic Senate representatives with respect to recommendations or proposals by the Academic Senate. This does not preclude representatives of the Academic Senate from meeting with, or appearing before, the Board with respect to the views or recommendations of the Academic Senate.

AB 1725 Mandate: Shared Governance

In 1988, the California State Legislature passed the most important reform of the last quarter century for the community colleges. In it, the local academic senates were directed to shoulder additional major responsibilities and were provided broad authority to develop policies and procedures concerning academic and professional matters, such as affirmative action, hiring, evaluation, tenure review, dismissal, and curriculum development.

While the language of AB 1725 clearly assigns a major role to the academic senate in the development of policies and procedures dealing with academic and professional matters, it also charges the local academic senate and representatives of local governing boards to develop procedures for achieving joint agreement in certain specified policy areas dealing primarily with personnel matters.

Specifically, in AB 1725 the Legislature has given the faculty primary responsibility in academic and professional matters and has bestowed statutory recognition on the community college faculty that it may function in a fashion similar to that of the faculties of public four-year colleges and universities.

Because AB 1725 mandates a new model of governance that requires local boards to ensure a genuine sharing of responsibility between administrators and their faculty colleagues--and to ensure that the decision-making process

involves the Academic Senate and representatives of the Governing Board as partners in all academic and professional matters--this law challenges us to create new ways of building collegewide decision-making models. (See Appendix B for back-up language from AB 1725.)

THE ROLE OF THE ACADEMIC SENATE AND THE ACADEMIC SENATE COUNCIL

The MiraCosta College Academic Senate is the principal representative of the certificated staff. The executive body of the Academic Senate is the Academic Senate Council (ASC). All actions of the ASC are subject to the review and approval of the Academic Senate. The By-laws and the Senate Rules of the MiraCosta College Academic Senate govern the Academic Senate and the ASC. The ASC is composed of full members (full-time faculty and administrators), associate members (part-time faculty and administrators) of the Academic Senate elected by their respective constituents, the Academic Senate President (elected by the full members of the Academic Senate), and the Superintendent/President as a non-voting member.

The Academic Senate and the ASC address all matters relating to academic, professional, and employee issues of concern to the Senate. The Academic Senate President or a designee presents the Academic Senate's views, recommendations, and proposals to the Superintendent/President for joint consideration and, on matters of agreement, for joint

recommendation to the Governing Board. If consultation with the Superintendent/President results in disagreement, the Academic Senate may present its views, recommendations, and proposals directly to the Board. Such a step, however, would be extraordinary in that collegial governance demands that involved parties work diligently and in good faith to achieve cooperation and consensus whenever possible.

Because the Academic Senate and the ASC are the official representatives of the faculty, the Academic Senate President shall appoint the faculty members of all Academic Senate and District committees. In the event of conflict over faculty or administrative appointments to District committees, collegial courtesy assures that the Academic Senate President and the Superintendent/President will, under normal circumstances, resolve the matter. The Academic Senate or the ASC may create committees to address issues and to function as directed. Committees may be standing (permanent) or ad hoc (temporary).

The Academic Senate, the ASC, or their designees--by virtue of the Senate By-laws, MiraCosta tradition, and state law--may also meet in the absence of administrators and act purely as a faculty body.

The President of the Academic Senate presides over its meetings and those of the ASC, develops and publishes their agendas, presents items to their meetings, represents them to the Board and administration, reports actions and issues to them, appoints faculty members to committees (with confirmation of the ASC), deals with personnel matters related to Senate members or of concern to the Senate at large, and is the official

spokesperson for the Academic Senate and the ASC. (A more detailed list of the Academic Senate President's major duties and functions can be found in Appendix C.)

THE ROLE OF ADMINISTRATORS IN THE SENATE

One of the unique conditions at MiraCosta is the role played in the Academic Senate by administrators. In the early 1960's, as the college was preparing to leave the Oceanside High School campus for its present location, certificated personnel were in an uproar. Faculty were divided, and considerable animosity between the faculty and the administration also existed. In a successful effort to create a more cooperative relationship among the certificated staff at MiraCosta, the Academic Senate was founded with administrators as members.* Consequently, a collegial spirit was strongly exhibited here long before the term became vogue, and it remains a treasured tradition among the Board, faculty, and administration at MiraCosta College.

We believe the collegial process is strengthened by administrators being active members of the Academic Senate. Such a circumstance facilitates cooperative and collaborative

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*This information is based upon discussions with Dr. Adolph "Lefty" Meisen, Administrator Emeritus; Mr. Robert Kitchin, Professor Emeritus; Ms. Patricia Dresselhaus, Professor Emeritus; and Dr. Gail Prentiss, Dean of Liberal Arts and Sciences.

planning and decision-making. It encourages a broader view of policy by all involved, and it reduces the "we/they" syndrome so prevalent on some other campuses. But faculty and administrators are not altogether indistinguishable in interests and needs, and each may, upon occasion, require separate meetings and identities. Such meetings would be appropriate only under extraordinary circumstances. When necessary, the Academic Senate President calls meetings of the Academic Senate and the ASC for this purpose.

IMPROVING INVOLVEMENT IN THE ACADEMIC SENATE

We believe that a professional educator not only is a good teacher, counselor, librarian, nurse, coordinator, or administrator, but is also a good colleague, dedicated to the collegial process. Being a good colleague involves maintaining pleasant and professional relations with staff and students; being a good colleague also requires that each member of the Academic Senate maintain interest in Senate and District affairs and serve on a reasonable number of Senate and District committees.

However, there may be those who view committee work and other institutional service as extra work which may be rightfully avoided. To dispel this erroneous notion and to encourage more Senate activity among our colleagues, we recommend that:

1) the ASC produce a program for the Fall 1990 orientation day, which all Academic Senate members will attend, to

explain the collegial model, the structures of the Academic Senate and the ASC, the role and powers of the Academic Senate, and the collegial responsibility of each Senate member.

2) a similar session be given to all new Academic Senate members in each orientation meeting, or shortly after they begin work.

3) the ASC establish a committee to study the present committee system to determine:

   a) what committees exist and what their structures and functions are.

   b) how committees should be categorized (e.g. according to the frequency of meetings, the workload performed, the amount of preparation, and the number of preparations required of committee members).

   c) which committees should require members who have revelant experience and historical perspective of MiraCosta.

   d) which committees should be staffed exclusively by tenured personnel. Administrators (who do not, by statute, have tenure) who have been employed at MiraCosta for at least four full years would also be eligible.

   e) which committees require continuity of membership.

   f) whether opportunities such as sabbatical, overload banking, etc., should be contingent on having

satisfied collegial and other responsibilities.

g) what constitutes appropriate participation and how excessive absences from committee meetings should be handled.

h) what other kinds of institutional service (e.g. student club sponsorship, departmental work, and outreach work) might serve to fulfill one's committee responsibility.

i) what special assignments might temporarily limit the committee assignments people can be expected to perform (e.g. coaching, department chair, unpaid assignments, or extraordinary department work).

j) which committee assignments or collegial responsibilities are so heavy as to warrant remuneration or reassigned time.

k) which committees are appropriate for new Academic Senate members.

l) which committees should be added, deleted, modified, or combined.

m) what procedures, rules, and staff assistance are necessary to assure effective committee functioning.

n) whether committee assignments should be made in the fall instead of the spring.

4) all new Senate members be assigned to committee work, but care must be taken that the assignments not be too

heavy.

5) each new Senate member be invited to attend an ASC meeting in their first semester.

6) the Academic Senate President meet with new Senate members (faculty and administrators) at least once a semester to discuss the problems they are encountering and to familiarize them further with collegial governance.

7) the evaluation packets for all Academic Senate members stress the importance of collegial work, and the evaluation process should assess and reflect the level of the evaluee's involvement in and support of collegial responsibility.

Appendix D indicates the current distribution of committee assignments.

CONFLICT RESOLUTION IN THE COLLEGIAL MODE

Regardless how congenial or professional the environment, conflict will arise, and it must be resolved promptly and fairly. The successful resolution of conflict is primarily dependent on the goodwill and professionalism of the individuals, but there is also a role for official bodies in settling disputes. The hallmark of any profession is that it is self-regulating; the Academic Senate believes that conflict resolution is subsumed under self-regulation.

Basically there are three kinds of conflicts: those between individuals, those between individuals and official college bodies, and those between different official bodies of the college.

Conflict between individuals should be resolved with a minimum of official involvement if possible. The individuals should be encouraged to settle the dispute between themselves. If that fails, the good offices of a third party can be employed (a dispute facilitator, a department chair, a Dean, the Academic Senate President, a Vice President, or the Superintendent/President). If these quiet efforts fail, the District grievance procedure can be used.

Disputes between an individual and an office of the college should also be settled between the parties involved if possible. If that fails, the Academic Senate President is available to render assistance to the parties in resolving the dispute. If the matter holds implications for the staff as a whole, the complainant may wish to seek redress by airing the matter before the ASC.

Conflicts between official bodies of the college (e.g. those between departments or those between a department and an administrative office(s)) should also be resolved quietly with the President of the Academic Senate helping the disputants come to terms. When the Academic Senate and the Superintendent/President disagree about policies/procedures, the President of the Academic Senate and the Superintendent/President, or their designees, will meet to resolve the differences. It may, however, be necessary to take unresolved matters to the ASC, the full Senate, and

ultimately to the Board itself.

IMPROVEMENTS IN THE COLLEGIAL PROCESS

There is no elixir which will make the collegial process work better. The prescription for successful shared governance rests on four mutually dependent factors.

Structure of the Institution. For the purposes of fair representation the official bodies of the college must be structured so that everyone's interests can be adequately voiced.

Participation of the Individuals. All members of the Academic Senate show commitment to the process by participating in it and helping it succeed. Individuals are responsible for articulating their own views and for remaining open to the views of others.

Sharing of Information. Individuals or groups with access to relevant information share it in a timely manner with others involved in a decision-making process.

Support of Collegial Decisions. Regardless of the ultimate decision, after consultation and consensus, each person is prepared to support the institution.

Collegial governance, therefore, is a process by which mutual goals are established and achieved, and by which problems are resolved; it implies no losers. This does not mean, however, there is no debate. Collegiality is maintained by everyone's contributing to the process and working toward consensus, even though one's viewpoints may not be reflected in the final accord.

SENATE RELATIONS WITH THE GOVERNING BOARD AND THE SUPERINTENDENT/PRESIDENT

The relationship among the Governing Board, the Superintendent/President, and the Academic Senate at MiraCosta College is for this era exceptional. Collective bargaining was legally permitted in the California community colleges in the mid-1970s, and most districts in the state adopted its procedures soon thereafter; currently only MiraCosta and a few other districts operate without use of faculty collective bargaining agents.

Collective bargaining has not been adopted at MiraCosta principally because the faculty, administration, and Governing Board have held in common the ideals of mutual respect and consideration. Maintaining these ideals, however, has required hard work, and lapses have occurred. But with diligence and a commitment to the general well-being rather than to narrow self-interest, the collegial spirit has usually prevailed. Among the most significant elements contributing to our collegial cooperation have been the joint membership of faculty and administrators in the Academic Senate, a common salary schedule for both administrators and faculty, a formula to determine salary changes, and a Governing Board that is firmly committed to the collegial mode.

This enviable state of affairs, however, places a particularly heavy burden on the Academic Senate regarding its

relations with the Governing Board and the Superintendent/President in that the Senate is responsible not only for addressing academic and professional matters but also for dealing with employee relations. Fortunately, this burden is attenuated by our collegial atmosphere.

The normal method by which the Academic Senate develops policy and procedures for the Board's consideration is to use a committee system to discuss issues and to generate suggestions for their resolution. Unless otherwise stipulated, all committees created by the Academic Senate or the ASC report to their parent bodies, and once a policy has been approved by the parent body, the matter is presented to the Superintendent/President and the Governing Board. The Academic Senate is committed to encouraging full, public, open debate of the issues with which it deals. The Superintendent/President is normally involved in Senate activities at the most basic level, and the Governing Board is advised of Senate developments by way of regularly published minutes of Senate proceedings and by way of reports at Board meetings. In short, the Senate demonstrates its respect by not contriving surprises, and it counts on the same consideration from the Superintendent/President and the Governing Board.

Any condition, however, regardless how sanguine and benign, can be improved. It is therefore recommended that:

1) the Academic Senate redouble its efforts to assure that the Board is kept fully abreast of Senate activities and views. Although the Academic Senate is aware that no Board member can devote unlimited time to

MiraCosta's affairs, Board members are welcome to attend its functions and participate in its activities, and the Academic Senate should invite the Board to suggest other ways that the Senate can better satisfy the Board's interest in Senate proceedings.

2) the Academic Senate keep the Board well informed of its positions and proceedings and attempt to learn more about the Board's goals and priorities. Among ways to accomplish this objective are to:

   a) take special care to acquaint new Board members with the Academic Senate and collegial governance.

   b) periodically invite the Board to dedicate a portion of its retreats to discussions with the Academic Senate on matters related to improved communications, collegial governance, and the issues with which each is concerned at the time.

   c) publish Senate and ASC minutes and other reports in the Governing Board agenda.

3) the Academic Senate afford the Superintendent/President the same consideration as mentioned in points 1 and 2.

4) the Academic Senate fully participate in planning, in policy development, and in the total budget process.

5) a format be developed to further ensure that all relevant constituencies are empowered, represented, and prepared to make decisions when action is taken.

It is incumbent upon the Academic Senate to work with the Superintendent/President and the Governing Board in order to

strengthen the Academic Senate as per the mandate of AB 1725, the recommendations of the Academic Senate for California Community Colleges, and the policy of the Board of Governors for California Community Colleges. (See Appendix E.)

Clearly, these measures will enhance the good working relationship among the Academic Senate, the Superintendent/President, and the Governing Board, and will facilitate accomplishment of our mutual objectives.

SEC 22 Section 87001 is added to the Education Code, to read:

87001. The board of governors shall adopt regulations defining positions subject to minimum qualifications as set forth in subdivisions (a), (b), and (c). Unless and until amended pursuant to Section 87357, the regulations shall initially establish the definitions as the following:

(a) "Administrator" means any person employed by the governing board of a community college district in a supervisory or management position as defined in Article 5 (commencing with Section 3540) of Chapter 10.7 of Division 4 of Title 1 of the Government Code.

(b) "Instructional or student services administrator" means an administrator trator who is employed in a position designated by the governing board of the district as having direct responsibility for supervising the operation of or formulating policy regarding the instructional or students services program of the college or district. Instructional and student services administrators include, but are not limited to, chancellors, presidents, and instructional or student services managers.

(c) "Faculty" means those employees of a community college district who are employed in positions that are not designed as supervisory or management for the purposes of Article 5 (commencing with Section 3540) of Chapter 10.7 of Division 4 of Title 1 of the Government Code and for which minimum qualifications for hire have been specified in the regulations of the board of governors adopted pursuant to subdivision (a) of Section 87356. Faculty include, but are not limited to, instructors, librarians, counselors, community college health services professionals, handicapped student programs and services professionals, extended opportunity programs and services professionals, and individuals employed to perform a service that, before July 1, 1990, required nonsupervisorial, certification qualifications.

APPENDIX B

Backup Language from AB 1725

"It is a general purpose of this act to improve academic quality, and to that end the Legislature specifically intends to authorize more responsibility for faculty members in duties that are incidental to their primary professional duties" (Section 4n, p. 30).

Local community colleges should "ensure that their faculty and administration consists of: (1) Teachers who can teach and who are experts in the subject matter of their curriculum, (2) Counselors, librarians, and other instructional and student services faculty who can foster college effectiveness and who are experts in the subject matter of their specialty, and (3) Administrators who can lead, organize, plan, and supervise; who understand the needs of faculty and the learning process; and who value institutional governance based upon a genuine sharing of responsibility with faculty colleagues" (Section 4o, pp. 30-31).

"The governing board of a community college district derives its authority from statue and from its status as the entity holding the institution in trust for the benefit of the public. As a result, the governing board and the administrators it appoints have the principal legal and public responsibility for ensuring the effective hiring process" (sample language for board and administrators in section on hiring process, Section 4s2, p. 32).

"Faculty members derive their authority from their expertise as teachers and subject matter specialists and from their status as professionals. As a result, the faculty has an inherent professional responsibility in the development and implementation of policies and procedures governing the hiring process" (example of one area specified and language used in bill, Section 4s3, p. 32).

The State Board of Governors shall establish minimum standards as required by law, including "minimum standards governing procedures established by governing boards of community college districts to ensure faculty, staff, and students the right to participate effectively in district and college governance, and the opportunity to express their opinions at the campus level and to ensure that these opinions are given every reasonable consideration, and the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards" (Part 43.5, 70901-b1E, p. 42).

"The governing board of each, community college district shall... establish procedures not inconsistent with minimum standards established by the board of governors to ensure faculty, staff, and students the opportunity to express their opinions at the campus level and to ensure that these opinions are given every reasonable consideration, and the right to participate effectively in district and college governance, and the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards" (Part 43.5, 70902.B7, p. 48).

"The Board of Governors of the California Community Colleges shall... (a) Develop policies and guidelines for strengthening the role of the academic senate with regard to the determination and administration of academic and professional standards, course approval and curricula, and other academic matters" (Section 61a, pp. 121-122).

"Phase I of transitional program improvement, as used in this section, means a period of reform during which community college programs are improved and enhanced to prepare an appropriate environment for the subsequent professionalization of faculty. In this connection, the Legislature finds and declares that it would be an unsound and wasteful policy to expend moneys to professionalize faculty without first making the program changes necessary to enable that faculty have a more effective role in the educational process. It is the intent of the Legislature that those changes, combined in proper sequence with the professional improvement of faculty will improve the overall quality of education within the system" (Section 70b1, pp. 131-132).

APPENDIX C

MIRACOSTA COLLEGE

PRESIDENT, ACADEMIC SENATE

ACCOUNTABLE TO: All Members MiraCosta College Academic Senate

RESPONSIBLE FOR:

(1) Facilitating communication among the Faculty and with Administration and the Governing Board.

(2) Jointly developing, with representatives of the Governing Board, recommendations relating to academic and professional matters.

(3) Presenting recommendations to the Administration and the Governing Board on academic and professional matters.

(4) Representing the faculty to the Administration and the Governing Board on salary and fringe benefit matters, including retirement incentives.

(5) Assuring adequate resources for the Senate and managing them.

MAJOR FUNCTIONS:

1. Serves as the official spokesperson and advocate for the Senate in academic, professional, and employee concerns.
2. Engages in ongoing discussions with faculty on the issues of the day.
3. Attempts to resolve concerns of individual Senate members.
4. Meets with new senate members once a semester for the first year to discuss any problems and to further familiarize them with collegial governance.
5. Registers senate endorsement of certain important documents sent to relevant authorities, e.g. 50% Law, Matriculation Plan, Accreditation Report.
6. Facilitates in developing and airing faculty views.
7. Identifies and addresses regulatory issues, e.g., Education Code, Title V, etc., as they relate to academic issues, professional matters, and employee concerns, and organizes a faculty response in a collegial and timely manner.
8. Provides initiative in identifying and pursuing important institutional issues.
9. Participates in the joint development of institutional policy, e.g., minimum qualifications and equivalencies, faculty hiring procedures, tenure review and faculty service areas, faculty evaluation procedures, etc.

10. Participates, with another faculty member of his/her choice, in the search and selection of candidates to fill the positions of Superintendent/President and Vice Presidents.

11. Develops agenda and conducts meetings of Academic Senate Council.

12. Convenes and conducts full Senate meetings as required.

13. Attends and participates in meetings and retreats of the Governing Board.

14. Appoints members to Senate committees; appoints faculty to district committees.

15. Provides leadership to Senate committees to ensure productive and efficient completion of tasks.

16. Regularly meets with the Superintendent/President and the Vice Presidents and with other administrative staff as needed.

17. Sits as a member of various institutional groups, e.g., Matriculation Committee, Department Chairs, Staff Development, etc.

18. Participates in the evaluation of administrative staff.

19. Allocates the secretarial support of the Senate.

20. Ensures that minutes of Academic Senate and Academic Senate Council meetings are published in a timely manner and engages in Academic Senate correspondence.

21. Coordinates and conducts election of Senate officers.

22. Conducts orientations to explain the functions of the Academic Senate.

23. Assigns faculty office space.

24. Assists in the orderly transfer of authority to the Senate President elect.

25. Attends and participates in the Fall and Spring State Academic Senate Conferences and the area pre-

26. Interacts with the statewide Academic Senate and senates of other California Community Colleges.

27. Attends conferences and seminars of statewide organizations that relate to California Community Colleges, e.g., State Academic Senate Leadership Conference, Faculty Association of California Community Colleges Conference, California Association of Community Colleges, etc.

28. Keeps abreast of deliberations of organizations that impact on California Community Colleges, e.g., California Association of Community Colleges, Board of Governors, California Community College Trustees, Faculty Association of the California Community Colleges, legislative committees.

APPENDIX D

District and Senate Committee Distribution among Faculty and Administrators for Fall 1989

# of committees	# of faculty members	# of administrators
0	23	
1	31	
2	21	
3	12	
4	1	4
5	2	3
6	1	
7		1

Source: 1989/1990 District and Senate Committee lists.

APPENDIX E

Revisions to Existing Title 5 Regulations on Academic Senates

Adopted by the Board of Governors on July 12, 1990

Subchapter 2. Academic Senates

53200. Definitions.

For the purpose of this subchapter:

(a) "Faculty" means those employees of a community college district who are employed in positions that are not designated as supervisory or management for the purposes of Article 5 (commencing with Section 3540) of Chapter 10.7 of Division 4 of Title 1 of the Government Code, and for which minimum qualifications for hire are specified by the Board of Governors.

(b) "Academic senate," "faculty council," and "faculty senate" means an organization formed in accordance with the provisions of this subchapter whose primary function is, as the representative of the faculty, to make recommendations to the administration of a college and to the governing board of a district with respect to academic and professional matters. For purposes of this subchapter, reference to the term "academic senate" shall also constitute reference to "faculty council" or "faculty senate."

(c) "Academic and professional matters" means the following policy development and implementation matters:

(1) Curriculum, including establishing prerequisites and placing courses within disciplines
(2) Degree and certificate requirements
(3) Grading policies
(4) Educational program development
(5) Standards or policies regarding student preparation and success
(6) District and college governance structures, as related to faculty roles
(7) Faculty roles and involvement in accreditation processes, including self study and annual reports
(8) Policies for faculty professional development activities
(9) Processes for program review
(10) Processes for institutional planning and budget development, and
(11) Other academic and professional matters as mutually agreed upon between the governing board and the academic senate.

(d) "Consult collegially" means that the district governing board shall develop policies on academic and professional matters through either or both of the following methods, according to its own discretion:

(1) Relying primarily upon the advice and judgment of the academic senate; or

(2) That the district governing board, or such representatives as it may designate, and the representatives of the academic senate shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902 Education Code.

53201. Academic Senate or Faculty Council.

In order that the faculty may have a formal and effective procedure for participating in the formation and implementation of district policies on academic and professional matters, an academic senate may be established at the college and/or district level.

NOTE: Authority cited: Sections 66700, and 70901, Education Code. Reference: Sections 70901 and 70902 Education Code.

53202. Formation; Procedures; Membership.

The following procedure shall be used to establish an academic senate:

(a) The full-time faculty of a community college shall vote by secret ballot to form an academic senate.

(b) In multi-college districts, the full-time faculty of the district colleges may vote on whether or not to form a district academic senate. Such vote shall be by secret ballot.

(c) The governing board of a district shall recognize the academic senate and authorize the faculty to:

(1) Fix and amend by vote of the full-time faculty the composition, structure, and procedures of the academic senate
(2) Provide for the selection, in accordance with accepted democratic election procedures, the members of the academic senate.

(d) The full-time faculty may provide for the membership and participation of part-time faculty members in the academic senate.

(e) In the absence of any full-time faculty members in a community college, the part-time faculty of such community college may form an academic senate.

NOTE: Authority cited: Sections 66700, and 70901, Education Code. Reference: Sections 70901 and 709002, Education Code.

53203. Powers

(a) The governing board of a community college district shall adopt policies for the appropriate delegation of authority and responsibility to its college and/or district academic senate. Among other matters, said policies, at a minimum, shall provide that the governing board or its designees will consult collegially with the academic senate when adopting policies and procedures on academic and professional matters. This requirement to consult collegially shall not limit other rights and responsibilities of the academic senate which are specifically provided in statute or other regulations contained in this part.

(b) In adopting the policies and procedures described in subsection (a), the governing board or its designees, shall consult collegially with representatives of the academic senate.

(c) While in the process of consulting collegially, the academic senate shall retain the right to meet with or appear before the governing board with respect to the views, recommendations, or proposals ot the senate. In addition, after consultation with the administration of the college and/or district, the academic senate may present its views and recommendations to the governing board.

(d) The governing board of a district shall adopt procedures for responding to recommendations of the academic senate that incorporate the following:

(1) In instances where the governing board elects to rely primarily upon the advice and judgment of the academic senate, the recommendations of the senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted. If a recommendation is not accepted, the governing board or its designee, upon request of the academic senate, shall promptly communicate its reasons in writing to the academic senate.

(2) In instances where the governing board elects to provide for mutual agreement with the academic senate, and agreement has not been reached, existing policy shall remain in effect unless continuing with such policy exposes the district to legal liability or causes substantial fiscal hardship. In cases where there is no existing policy, or in cases where the exposure to legal liability or substantial fiscal hardship requires existing policy to be changed, the governing board may act, after a good faith effort to reach agreement, only for compelling legal, fiscal, or organizational reasons.

(e) An academic senate may assume such responsibilities and perform such functions as may be delegated to it by the governing board of the district pursuant to subsection (a) of this section.

(f) The appointment of faculty members to serve on college or district committees, task forces, or other groups dealing with academic and professional matters, shall be made, after consultation with the chief executive officer or his or her designee, by the academic senate. Notwithstanding this subsection, the collective bargaining representative may seek to appoint faculty members to committees, task forces, or other groups.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

53204. Scope of Regulations.

Nothing in this subchapter shall be construed to impinge upon the due process rights of faculty, nor to detract from any negotiated agreements between collective bargaining representatives and district governing boards. It is the intent of the Board of Governors to respect agreements between academic senates and collective bargaining representatives as to how they will consult, collaborate, share or delegate among themselves the responsibilities that are or may be delegated to academic senates pursuant to these regulations.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

DRAFT #3

August 31, 1990

MIRACOSTA COLLEGE
DRAFT - FOR DISCUSSION

POLICY SECTION # 0

Collegial Governance and Resposibilities

The governing board embraces the concept of collegial governance as a fundamental policy of the college, while retaining its own rights and responsibilities as the ultimate authority in all areas defined by state laws and regulations.

Collegial governance is defined as the collaborative participation of appropriate members of the college in planning for the future and in the developing policies, procedures, and recommendations under which the college is governed and administered.

Each constituency of the college which has responsibility and expertise in a particular area participates in the development of policies and procedures relating to that area. Such participation will bring together multiple segments of the college in instances where policies and procedures affect staff across divisions. It is the responsibility and obligation of members of the faculty, administration, and board to participate in the collegial process. (Note to Deon: Should classified/students be in the preceding sentence?)

The district standing committees and employee councils of the college shall be structured to include representation by faculty, administrators, and classified employees when the

matters being considered are within their purview. Student representation shall be included on such groups whenever appropriate and possible.

POLICY SECTION #0.1 ACADEMIC SENATE

The board recognizes ~~the~~ the academic senate council, acting on behalf of the academic senate, as the body which represents the faculty in collegial governance relating to academic, professional, and personnel matters. The board acknowledges the definition of academic and professional matters to include the following policy development and implementation matters as defined in Title V of the state Education Code:

1. Curriculum, including establishing prerequisites and placing courses within disciplines
2. Degree and certificate requirements
3. Grading policies
4. Educational program development
5. Standards or policies regarding student preparation and success
6. District and college governance structures, as related to faculty roles
7. Faculty roles and involvement in accreditation processes, including self study and annual reports
8. Establishing policies for faculty professional development activities
9. Processes for program review

10. Processes for institutional planning and budget development, and

11. Other academic and professional matters as mutually agreed upon between the governing board and the academic senate.

The institution is committed to collegial governance. Therefore, under normal circumstances all policies and procedures are developed collaboratively. Upon request of the academic senate, the board or its delegated administrators shall confer with senate representatives regarding recommendations or proposals by the senate. If parties to the discussion do not reach consensus, the senate may present its views to the board and the board shall consider and respond to such views. Likewise, senate representatives have the responsibility, when requested, to confer with the board's delegated administrators and to respond to their proposals and recommendations.

The board recognizes and endorses the rights and responsibilities assigned to faculty by state statutes and Title V regarding personnel matters to include: affirmative action, hiring, compensation, evaluation, tenure review, dismissal, and administrators' retreat rights.

The board may cause the development of policies and procedures regarding academic, professional, and personnel matters by relying primarily on the advice and judgement of the academic senate, persuant to relevant provisions of the Education Code and Title V. The recommendations of the senate will

normally be accepted: only in exceptional circumstances and for compelling reasons will the recommendations not be accepted. If a recommendation is not accepted, the governing board or its designee, upon request of the academic senate, shall promptly communicate its reasons in writing to the academic senate.

SECTION 1675 STANDING COMMITTEES

relations between the college and elected officials, and undertake legislative action projects on behalf of MiraCosta College.

MATRICULATION COMMITTEE

The Matriculation Committee is composed of the President of the Academic Senate; the Coordinator of Disabled Student Programs and Services; representatives of the Letters and Mathematics Departments; the Coordinator of Extended Opportunity Programs and Services; the Registrar; the Chair of the Counseling Department; the Director of Computer Services; the Coordinator of Testing; the Articulation Officer; the Dean of Planning and Research; a Student Senator, and the Vice Presidents for Student Services and Instruction who serve as co-chairs. Ex-officio members include the Dean of Admissions, Assessment, and Student Aid; the Dean of Counseling and Special Student Services; the Budget Supervisor and the Vice President for Business Services. Terms of office for the representatives of the Mathematics and Letters Departments shall be two years. All other members of the committee will serve on a continuing basis with the exception of the student senator and academic senate president whose terms shall coincide with their term of office.

The responsibilities of the committee include assisting the District to carry out the guidelines for matriculation promulgated by the Board of Governors, recommending to the Planning-Budgeting Council an allocation of categorical funds in support of matriculation, and determining local policies to carry out a comprehensive matriculation program.

The Matriculation Committee meets monthly during the academic year and on an as-needed basis during the summer.

PLANNING-BUDGETING COUNCIL (new committee)

The Planning-Budgeting council serves as an advisory and recommending body to the college president, with its primary purpose to facilitate and coordinate the college's planning and budget development processes. The council is chaired by the president and includes as members the three vice presidents; the president and vice president of the Academic Senate, a department chair appointed for a two-year term by the Academic Senate Council, the president and past president of the Classified Employees Association, one administrator appointed for a two-year term by the Administrative Council, one representative appointed for a two-year term by the classified managers group, and a

SECTION 1675 STANDING COMMITTEES

student appointed for a one-year term by the Student Senate. The Dean of Research and Planning will serve as ex-officio member. The governing board may appoint a trustee as an ex-officio member. The Director of Finance and the Budget Supervisor will attend council meetings as needed during budget deliberations.

The council will meet on Wednesday afternoons, twice monthly during the academic year and monthly during the summer, and may invite individuals to make presentations on topics being considered by the council.

PUBLIC EVENTS COMMITTEE

The Public Events committee is chaired by the Facilities Use Coordinator and includes staff members whose positions interface with public events: the Dean of Athletics or designee; the Graphic Artist; a representative from the Public Information Office; the Director of Facilities or designee; the Coordinator of Student Activities; the Dean of Community Education; a representative from the San Elijo Campus; the Media Services Specialist; the chairs of the Music and Theater Departments or designees; the Gallery Director; the Director of Community Services and the Community Education Secretary.

This committee accepts as its responsibility the refinement of activity guidelines and the enhancement of communication across all affected divisions which provide publicity, custodial support, technical services, room use clearance, etc. Secondly, the committee works to publicize through a district calendar college events and where possible reduces competition for audiences to scheduled activities. Thirdly, it develops and maintains a booklet called "The Public Events Kit" to encourage and assist persons producing events.

The committee meets monthly and publishes minutes of its meetings. All people planning events on campus should attend a meeting of the Public Events Committee as early as possible in the course of their planning.

STAFF DEVELOPMENT COORDINATION COMMITTEE

The Staff Development Coordination Committee is composed of the three vice presidents or designees, the Academic Senate President or designee; the CEA President or designee, and the chair of the Professional Development Committee. The Superintendent/President, who serves as ex-officio member, will appoint the chair of the committee.

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